

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

Case No. 00-6236-CR-FERGUSON

FILED BY dl  
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CLERK  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

UNITED STATES OF AMERICA

v.

THOMAS BARRETT STRINGER,  
a/k/a "Hank A. Black,"

Defendant.

GOVERNMENT'S MOTION TO CONSOLIDATE  
INDICTMENTS FOR PLEA AND SENTENCING

COMES NOW the United States of America, by and through its undersigned attorney, and requests that the Indictment in United States v. Thomas Barrett Stringer, Case No. 00-6236-CR-FERGUSON (Western District of Pennsylvania), and the Indictments in United States v. Thomas Stringer, Case No. 00-6133-CR-DIMITROULEAS (Southern District of Florida) and United States v. Thomas Stringer, Case No. 00-6227-CR-DIMITROULEAS (District of South Carolina), be consolidated for a plea of guilty and sentencing pursuant to Rules 8 and 13 of the Federal Rules of Criminal Procedure and Rule 3.9(c) of the Local Rules of the United States District Court for the Southern District of Florida. In support of this Motion, the Government states the following:

1. In United States v. Thomas Stringer, Case No. 00-6133-CR-DIMITROULEAS (Southern District of Florida) and United States v.

*dl*  
*9*

Thomas Stringer, Case No. 00-6227-CR-DIMITROULEAS (District of South Carolina), the defendant is charged with passing counterfeit checks, in violation of Title 18, United States Code, Section 513.

2. In the instant matter, United States v. Thomas Barrett Stringer, Case No. 00-6236-CR-FERGUSON (Western District of Pennsylvania), the defendant is also charged with passing counterfeit checks, in violation of Title 18, United States Code, Section 513.

3. All of the indictments are inextricably intertwined since each requires similar evidence that the defendant engaged in creating and passing counterfeit checks in multiple states.

4. The defendant agreed to stay removal to other Federal Districts and transfer his other charges pursuant to Rule 20 into the Southern District of Florida and will enter a voluntary plea of guilty to all indictments charging him with knowingly and willfully passing counterfeit checks. The undersigned has conferred with counsel for the Defendant, Mr. Samuel J. Smargon, who also joins in the Government's Motion to Consolidate these cases.

5. All discovery for the passing of counterfeit check offenses have previously been provided to the defense in United States v. Thomas Stringer, Case No. 00-6133-CR-DIMITROULEAS (Southern District of Florida).

6. Under Local Rule 3.9(c), whenever an action or proceeding is filed in the court which involves subject matter which is a

material part of the subject matter of another action or proceeding pending before the Court, or which would involve duplication of judicial effort if heard by a different judge, the judges involved must determine whether the newly-filed action should be transferred to the judge to whom the low-numbered action or proceeding is assigned.

7. On September 1, 2000, U.S. District Judge William Dimitrouleas was advised of the above-referenced facts, and if this Honorable Court concurs, agreed to accept the consolidation for plea and sentencing purposes.

**WHEREFORE**, the United States respectfully requests that the Indictment in United States v. Thomas Barrett Stringer, Case No. 00-6236-CR-FERGUSON (Western District of Pennsylvania), be consolidated for plea and sentencing in United States v. Thomas Stringer, Case No. 00-6133-CR-DIMITROULEAS (Southern District of Florida).

Respectfully submitted,

GUY A. LEWIS  
UNITED STATES ATTORNEY

By: 


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cc: Special Agent Dan Tejada  
FBI

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a true and correct copy of the foregoing  
was delivered by United States mail this 1st day of September 2000  
to:

Mr. Samuel J. Smargon  
Assistant Federal Public Defender  
101 N.E. 3rd Avenue, Suite 202  
Fort Lauderdale, FL 33301

  
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ROGER W. POWELL  
ASSISTANT U.S. ATTORNEY